

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

CABINETS TO GO, LLC,

Plaintiff,

vs.

QINGDAO HAIYAN REAL ESTATE
GROUP CO., LTD, et al.

Defendants.

Case No. 3:21-cv-00711

Judge Waverly D. Crenshaw, Jr.
Magistrate Judge Jeffery S. Frensley

DECLARATION OF BRANDON MCGRATH

1. I am an attorney for Plaintiff Cabinets to Go, LLC (“Cabinets to Go”). I have personal knowledge of the facts set forth herein, except as to those stated on information and belief and, as to those, I am informed and believe them to be true. If called as a witness, I could and would competently testify to the matters stated herein.

2. On September 16, 2021, I sent a request for waiver of service to Ms. Lee as agent for Haiyan, Drouot, and Alno by e-mail to the email address sabrina@haiyanwoodworking.com. (**Exhibit 1**, September 16 email.)

3. The e-mail did not bounce back and there was no indication that it did not reach its intended recipient.

4. I sent the requests for waiver of service by FedEx to Defendants Qingdao Haiyan Real Estate Group Co., LTD (“Haiyan”), Qingdao Drouot Wood Industry Co., LTD (“Drouot”), and Alno Industry SDN BHD (“Alno”).

5. These packages were delivered to Alno, Haiyan, and Drouot on September 23, 2021.

6. On September 23, 2021, I learned that all of the defendants in this case had retained U.S.-based counsel, the Perez Morris law firm, located in Columbus, Ohio.

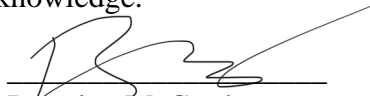
7. I, along with other attorneys representing Cabinets to Go, engaged in telephone conversations and email exchanges with multiple attorneys from the Perez Morris firm where we addressed the substantive issues raised in this lawsuit, including substantive settlement discussions.

8. On October 15, 2021, I sent requests for waiver of service by email to John Perez, counsel for the defendants. (**Exhibit 2**, October email exchange.)

9. On October 18, 2021, Mr. Perez responded to that email and stated that he is unable to accept service, but he did not specifically address the waiver request. (*Id.*)

10. I have retained a firm to prepare and transmit the documents necessary for service of process on the Haiyan and Drouot through the Hague Convention.

Under 28 U.S.C. § 1746, I declare the above statements are true and accurate to the best of my knowledge.


Brandon McGrath

Executed: November 2, 2021

Hazen, Sabrina C.

From: McGrath, V. Brandon
Sent: Thursday, September 16, 2021 9:23 AM
To: sabrina@haiyanwoodworking.com
Cc: Laren, Sarah T.; Dorkey, III, Charles E. "Trip"; Buck Cole
Subject: Cabinets to Go lawsuit against Haiyan
Attachments: Alno waiver.pdf; Haiyan Waiver.pdf; Drouot Waiver.pdf

Dear Ms. Li,

Attached is a copy of a lawsuit filed against Qingdao Haiyan Group Co., LTD, Qingdao Drouot Woodworking Co., and Alno Industry SDN BHD. Also attached is a request that each company waive service of process. Please give these documents to your legal counsel. There is a time limit of 30 days for the companies to respond to his request.

If you have questions, please feel free to contact me.

If you have legal counsel, please have your legal counsel contact me.

Thank you.



Brandon McGrath

Partner

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Hazen, Sabrina C.

From: John Perez <jperez@perez-morris.com>
Sent: Monday, October 18, 2021 12:27 PM
To: McGrath, V. Brandon
Cc: Dorkey, III, Charles E. "Trip"; Laren, Sarah T.; Buck Cole
Subject: RE: CTG v. Haiyan, et al. - Waiver of Service

[WARNING: EXTERNAL SENDER]

Brandon,

As I mentioned Friday, we are not authorized to accept service on any of the defendants. With respect to the foreign entities, I believe service would be governed by some convention and simply mailing the document would be insufficient. With regard to Valleywood, I will look into your question and get back to you. Thanks.



Juan Jose Perez | Attorney at Law

Main: 614-431-1500
Cell: 614-330-6675
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From: McGrath, V. Brandon <brandon.mcgrath@dentons.com>
Sent: Friday, October 15, 2021 11:54 AM
To: John Perez <jperez@perez-morris.com>
Cc: Dorkey, III, Charles E. "Trip" <charles.dorkey@dentons.com>; Laren, Sarah T. <sarah.laren@dentons.com>; Buck Cole <bcole@pepperlawplc.com>
Subject: CTG v. Haiyan, et al. - Waiver of Service

John,

Thanks again for speaking with me today. While we understand that you are not authorized to accept service on behalf of your clients, attached to this email are requests for waiver of service for all of your clients.

We originally sent these by mail to Alno, Haiyan, and Drouot in mid-September. Do you know whether they were received?

Also, we sent a summons by certified mail to Valleywood but have not received the green card back. Do you know whether it was signed?

Either way, we are sending these to you now and are hoping your clients will waive service to save costs.

Thanks.



Brandon McGrath

Partner

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